

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.949 OF 2001

Office Notes, Office Memoranda
of Coram, appearances, Court's
Order or Directions and
Registrar's Orders

Court's or Judge's
Orders

Mr.G.S. Godbole for Appellant
Mr.P.K. Dhakephalkar for Respondent
Nos.1 to 4

CORAM: SMT.NISHITA MHATRE, J.

DATED: DECEMBER 1, 2004

. This Appeal from Order challenges the order passed on Exhibit 9. By this order the defendant, that is the appellant herein, has been restrained from alienating the suit property by way of transfer or creating third party interest in the suit property till the decision in the suit. The Appellant is a trust and therefore seeks to vacate this order since according to it, the trust property should not be kept vacant and the trust should be allowed to earn profits from it.

2. Instead of deciding the

appeal from order, in my view, it would be appropriate to request the trial Court to decide the suit expeditiously as the issues are already framed and the pleadings have been completed.

3. The trial Court is requested to hear and dispose of the suit by 31.7.2005.

4. In view of this, Appeal from Order is disposed of.